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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/121,528 | 07/23/1998 | GARO J. DERDERIAN | M4065.069/P0 | 3421 |

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EXAMINER

MEEKS, TIMOTHY HOWARD

ART UNIT

PAPER NUMBER

1762

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Please find below and/or attached an Office communication concerning this application or proceeding.



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This communication is made to clarify the letter of 21 September 2001 (Paper 29), specifically with respect to the disposition of the declaration filed as an attachment to the reply brief of 13 September 2001 (Paper 28).

The declaration filed concurrently with the reply brief of 13 September 2001 will not be considered because good and sufficient reasons why it was not earlier presented have not been shown. Applicants proffer no reason whatsoever as to why the declaration was not earlier presented.

As stated in Paper 29, the reply brief filed 13 September 2001 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Timothy H. Meeks
Primary Examiner
Art Unit: 1762